#/3-B 7/23/9/ PATENT 28049/34394

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Applicants:            | ) | For: AUDIENCE                             |                        |
|------------------------|---|-------------------------------------------|------------------------|
| LU ET AL.              | ) | MEASUREMENT SYSTEM FOR DIGITAL TELEVISION |                        |
| Serial No.: 09/076,517 | ) | Group Art Unit: 2611                      | RECEIVED               |
| Filed: May 12, 1998    | ) | Examiner:                                 | JUN 2 7 2001           |
| 1 110d. 141dy 12, 1770 | , | ) Daminer.                                | Technology Center 2600 |

## PRELIMINARY AMENDMENT AND REQUEST FOR DECLARATION OF INTERFERENCE WITH U.S. APPLICATION SERIAL NO. 09/289,758

Commissioner for Patents Washington, DC 20231

Sir:

Please amend the application as follows:

## IN THE CLAIMS:

Please cancel claims 1-69 and 78-158.

## **REMARKS**

The applicants hereby request, pursuant to 37 C.F.R. § 1.604, declaration of an interference with U.S. application Serial No. 09/289,758 (the "758 application"), which was filed on April 12, 1999, as a continuation-in-part of application Serial No. 09/085,501, filed on May 27, 1998, which issued as Massetti, U.S. Patent No. 5,974,299 (the "Massetti patent"), on October 26, 1999. A copy of the '758 application is attached hereto as Appendix B. Note that the applicants previously filed the following papers: